



U.S. Department of Justice

Federal Bureau of Prisons

Legal Department

Metropolitan Correctional Center
150 Park Row
New York, New York 10007
(646) 836-6300, (646) 836-7751 (Fax)

June 3, 2008

SENT BY FACSIMILE TO (212) 805-7917

The Honorable Robert P. Patterson
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: United States v. Maurice McDowall
Register Number: 31684-069

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/5/08

Dear Judge Patterson:

OFC. 1054 (RPP)

I write in response to your May 30, 2008 Order that MCC New York provide Maurice McDowall with necessary prostate medication. The Bureau of Prisons respectfully requests that the Order be vacated, as Mr. McDowall has the medication in his possession, and there are internal procedures for prescribing medication.

Mr. McDowall was first prescribed Cardura, 4 mg, for his prostate condition on February 27, 2008. It is a 180 day "self carry" prescription, however, Mr. McDowall is responsible for obtaining a refill every thirty days. Health Services staff make "pill line" rounds each evening, and when an inmate's medication runs out, he simply turns in the bottle at pill line, and the prescription is refilled that evening. Mr. McDowall turned in his bottle on March 26, 2008, and receive his next thirty day supply of medication. He did not turn that bottle in to the pharmacist until May 29, 2008. On May 29, when he did turn in his bottle, he was given his next 30 day supply of medication. Additionally, Mr. McDowall was seen by his treating physician on April 7, 2008. Mr. McDowall's medical needs are being addressed by the Health Services Department.

As an aside, MCC New York was not made aware of Mr. McDowall's complaint until the Legal Department received Your Honor's Order. We respectfully request that medical issues first be addressed internally, before counsel requests an order from the court. Based on the fact that Mr. McDowall's medication was already supply at the time of the Order, and the fact that there are internal procedures for filling medications, we respectfully request Your Honor's Order be vacated.

If you have any questions or concerns, feel free to contact me at (646)836-6466.

Sincerely,

Elisa Mason
Elisa Mason
Staff Attorney

*Application granted.
Since Mr. McDowall has
received his medication,
the court's order is vacated.
So ordered.
[Signature]
USDP
6/4/08*

cc: AUSA Katherine Goldstein (by email)
Joseph Conway, Esq. (by fax)